
Introduced by Senator Evans

February 22, 2013

An act to amend Section 21081 of the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

SB 754, as introduced, Evans. California Environmental Quality Act. The California Environmental Quality Act (CEQA) requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA exempts from its provisions, among other things, certain types of projects proposed to be carried out or approved by public agencies.

This bill would make various technical, nonsubstantive changes in those provisions governing exemptions from CEQA.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 21081 of the Public Resources Code is
- 2 amended to read:
- 3 21081. Pursuant to the policy stated in Sections 21002 and
- 4 21002.1, ~~no~~ a public agency shall *not* approve or carry out a project
- 5 for which an environmental impact report has been certified ~~which~~
- 6 *that* identifies one or more significant effects on the environment

1 that would occur if the project is approved or carried out unless
2 both of the following occur:

3 (a) The public agency makes one or more of the following
4 findings with respect to each significant effect:

5 (1) Changes or alterations have been required in, or incorporated
6 into, the project ~~which~~ *that* mitigate or avoid the significant effects
7 on the environment.

8 (2) Those changes or alterations are within the responsibility
9 and jurisdiction of another public agency and have been, or can
10 and should be, adopted by that other agency.

11 (3) Specific economic, legal, social, technological, or other
12 considerations, including considerations for the provision of
13 employment opportunities for highly trained workers, make
14 infeasible the mitigation measures or alternatives identified in the
15 environmental impact report.

16 (b) With respect to significant effects ~~which~~ *that* were subject
17 to a finding under paragraph (3) of subdivision (a), the public
18 agency finds that specific overriding economic, legal, social,
19 technological, or other benefits of the project outweigh the
20 significant effects on the environment.